

AFFIDAVIT OF MAYOR OSCAR CRAWLEY

My name is Oscar Crawley, I am the present Mayor of the City of Lanett. I was the Mayor of the City of Lanett at the time of Terry Daniel's applying for a captain's position with the fire department. This affidavit is based upon my personal knowledge and I am over the age of nineteen years.

The normal process of the City of Lanett is that the department head selects the top three candidates that apply for a position. Those top three candidates are then interviewed by the city manager and the city manager then makes a recommendation to the Mayor and council and/or hires the individual after interviewing that person.

At the time of the captain's position making the basis of Mr. Daniel's claim, the City was using Shirley Motley as the city clerk and also as temporary city manager. Therefore, the department head, Anthony Johnson, who was the fire chief at that time, reported to me regarding the captain promotion as Mayor of the City of Lanett.

Initially, there was one captain's position open which Mr. Daniel and seven other candidates applied for. Then a second slot came open and basically the top two candidates were chosen from those supplied by Chief Johnson to myself as Mayor of the City of Lanett.

I received a memorandum from Chief Johnson dated December 2, 2004, which also had an incident report, pie graph, and data showing the amount of incidents that were fire versus rescue and EMS. He also provided me his listing of the candidates from first to eighth in order of his preference.



As a part of Chief Johnson's recommendation, Chief Johnson stated that it was his opinion that the shift supervisor or captain should be a paramedic because of the percentage of ambulance calls versus the amount of fire calls. According to the documentation that Chief Johnson supplied me, from January 1, 2000 to December 1, 2004, there were 4,923 incidents of rescue and EMS and only 360 fire calls. Thus, having a 77.22% of rescue and EMS calls versus a 5.65% of fire calls.

Thus, the Chief believed that a captain should be a paramedic because of the percentage of ambulance calls versus the amount of fire calls. The Chief also stated in his memo, "Two of our candidates have been with the City for over thirty-five years combined and have well documented **fill-in** (bold in memo) command experience, but have never gained the certification of paramedic. All applicants have fire certifications."

Thereafter, Chief Johnson gave me his recommendation and the top two candidates were Sam Thrower and Tim Jennings. Terry Daniel was Chief Johnson's choice number seven.

Based upon the recommendation of the department head, I on behalf of the City as well as the acting city manager made the offers to Sam Thrower for the original captain's position and Tim Jennings for the second position.

The selection process was based upon the recommendation of the fire chief. Based upon the City's knowledge, the selection of the captains had everything to do with their being paramedics and nothing to do with Mr. Daniel and his previous claims against the City or previous lawsuit.

I attach the documents I received from Chief Johnson as Exhibit "A" to my affidavit.

Further, affiant saith not.

Oscar Crawley
MAYOR OSCAR CRAWLEY

State of Alabama
County of Chambers

SWORN TO and subscribed before me on this 27th day of July, 2006.

[SEAL]

Jennie J. Fournelle
NOTARY PUBLIC
My Commission Expires on : _____

MY COMMISSION EXPIRES MAY 9, 2009

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*Lanett Fire & EMS
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Lanett, Alabama 36863
(334) 644-5225*

From the Desk of Anthony Johnson

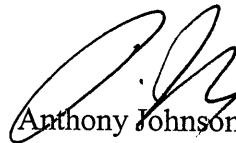
December 2, 2004

To: Mayor Crawley

RE: Capt Promotion

Mayor Crawley,

As you know the city is in the process of promoting a Fire/EMS employee to the rank of Shift Captain. We have 8 candidates to choose from that meet the applicable job description. I have had my existing Shift Captains review the applications and rank the candidates in the order in which they feel each individual would be most successful in a supervisory capacity. Both Captains had similar views on a majority of the applicants, but were completely different on their number one pick. Two of our candidates have been with the city for over 35 yrs combined and have well documented fill-in command experience but have never gained the certification of Paramedic. All applicants have fire certifications. It is my opinion that the shift supervisor should be a Paramedic because of the percentage of ambulance calls versus the amount of fire calls. Over the last 4 yrs 77% of calls for our dept have been medical in nature. 5.6% have been fire related. I believe this trend will continue and even increase due to Fire prevention and Education being taught in the community. I have listed on the next page my ranking of candidates As to whom I feel will be the most successful for the dept as well as the city.

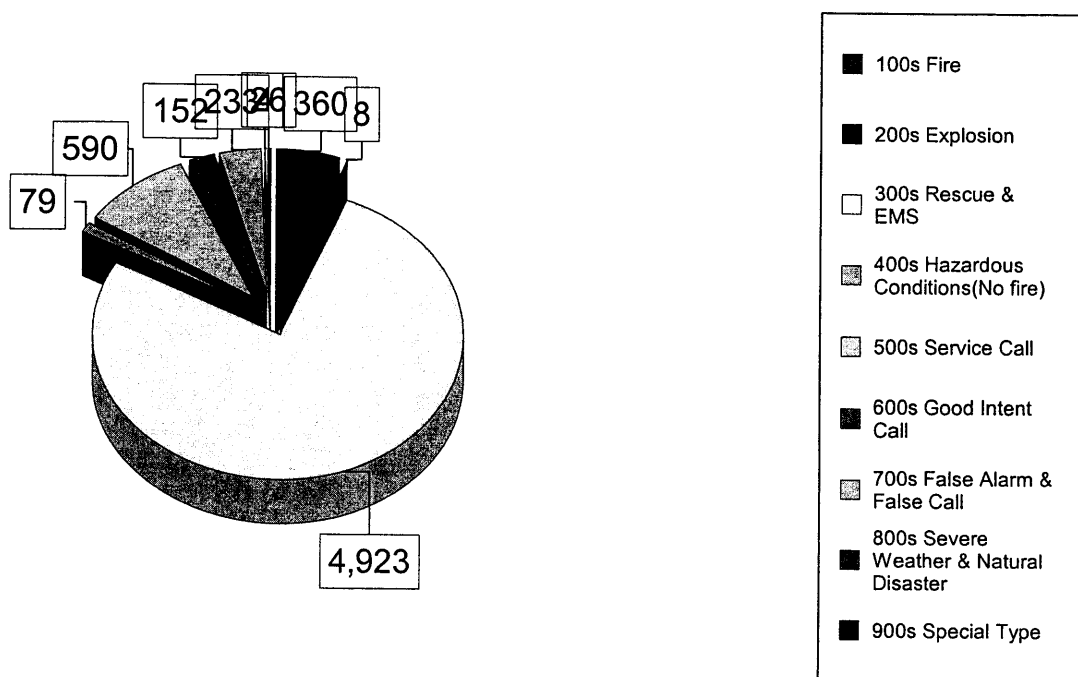

Anthony Johnson, Fire Chief

Print Date: 12/1/2004

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Lanett Fire & EMS

Incident Date in 1/01/2000 to 12/01/2004



Graphed Items are sorted by Incident Type

Type Of Incident:

100 Series-Fire
 200 Series-Explosion
 300 Series-Rescue & EMS
 400 Series-Hazardous Conditions(No fire)
 500 Series-Service Call
 600 Series-Good Intent Call
 700 Series-False Alarm & False Call
 800 Series-Severe Weather & Natural Disaster
 900 Series-Special Type

Total Of Incidents:

360
 8
 4,923
 79
 590
 152
 233
 4
 26

Percentage Value:

5.65%
 0.13%
 77.22%
 1.24%
 9.25%
 2.38%
 3.65%
 0.06%
 0.41%

Grand Total: 6,375

Type Of Incident Most Frequent: 300 Series-Rescue & EMS

- 1. Sam Thrower**
- 2. Tim Jennings**
- 3. Stan Taylor**
- 4. Heather Daley**
- 5. Andy Gray**
- 6. Bryan Hester**
- 7. Terry Daniel**
- 8. Charles Daugherty**